

[24 & 25 GEO. 5.] *North Wales* [Ch. lxxvii.]
Electric Power Act, 1934.



CHAPTER lxxvii.

An Act to confer further powers on the North Wales Power Company Limited and for other purposes. A.D. 1934.
[25th July 1934.]

WHEREAS the North Wales Power Company Limited (in this Act referred to as "the Company") are under and by virtue of the North Wales Electric Power Act 1904 (hereinafter referred to as "the Act of 1904") authorised to supply electricity within the area of supply defined by the Act of 1904 subject to the conditions and restrictions contained in the said Act and to exercise the other powers in the said Act contained :

And whereas by the North Wales and South Cheshire Electricity District Order 1923 (hereinafter referred to as "the Order of 1923") the area therein defined was constituted a separate electricity district for the purposes of the Electricity (Supply) Act 1919 :

And whereas it was provided by the Order of 1923 that the North Wales and South Cheshire Joint Electricity Authority thereby established might transfer to the Company such of the powers rights and obligations conferred or imposed upon the said joint electricity authority by the Electricity (Supply) Act 1919 and by the Order of 1923 as were specified in the Third Schedule to the Order of 1923 :

And whereas by deed of transfer dated the fifth day of December one thousand nine hundred and twenty-three the North Wales and South Cheshire Joint

A.D. 1934. Electricity Authority transferred to the Company the powers rights and obligations specified in the Third Schedule to the Order of 1923 :

And whereas by a deed of conveyance dated the twenty-ninth day of June one thousand nine hundred and twenty-nine to which Aluminium Corporation Limited (hereinafter referred to as "the corporation") and the Company were parties the corporation assigned to the Company so far as the corporation could lawfully do so the full benefit of an agreement dated the twenty-seventh day of May one thousand nine hundred and sixteen and made between the Conway and Colwyn Bay Joint Water Supply Board and the corporation which said agreement was confirmed by the Conway and Colwyn Bay Water Supply Board Act 1916 and is set out in the schedule to that Act :

And whereas it is expedient that the assignment of the benefit of the said agreement to the Company effected by the said deed of conveyance should be confirmed :

And whereas it is expedient to confer further powers on the Company as by this Act provided and to enact the other provisions of this Act :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title
and
citation.

1.—(1) This Act may be cited as the North Wales Electric Power Act 1934.

(2) The North Wales Electric Power Act 1904 and this Act may be cited together as the North Wales Electric Power Acts 1904 and 1934.

Mainten-
ance and
use of
existing
generating
stations
and works.

2.—(1) The Company may upon the lands delineated on the two deposited maps hereinafter in this section referred to and thereon coloured pink in the case of land not covered by water and blue in the case of land covered by water or upon any part of any of those lands (so long as the Company are possessed of them) continue to maintain carry on work and use and from time to time renew the generating stations hydro-electric

works lakes reservoirs dams cuts channels adits catchwaters aqueducts culverts tunnels pipes conduits drains sluices byewashes bores and overflows weirs gauges waste water channels tanks banks walls bridges arches piers abutments embankments telegraphs telephones railways roads approaches engines machinery and appliances situate upon the said lands so far as the same may be necessary or convenient in connection with the undertaking of the Company. A.D. 1934.

(2) The deposited maps hereinbefore referred to are the maps signed in triplicate by the Most Noble the Marquess of Bath P.C. K.G. the chairman of the committee of the House of Lords to whom the Bill for this Act was referred one copy of each of which has been deposited in the Parliament Office of the House of Lords one of each in the Committee and Private Bill Office of the House of Commons and one of each in the registered office of the Company :

Provided that nothing in this section shall relieve the Company from the necessity for obtaining any consent of the Electricity Commissioners which may be required under section 11 of the Electricity (Supply) Act 1919.

(3) The Company may also upon any lands in respect of which they have acquired any easement or other right (but subject always to such reservations restrictions and conditions (if any) to which such easement or other right is subject) continue to maintain and use and from time to time renew the cuts channels adits catchwaters aqueducts culverts tunnels pipes conduits drains sluices byewashes bores overflows weirs gauges waste water channels tanks banks walls bridges arches piers abutments embankments telegraphs telephones railways roads approaches engines machinery and appliances situate upon the said lands (subject as aforesaid) so far as the same may be necessary or convenient in connection with the undertaking of the Company.

(4) All provisions for the protection of the Postmaster-General and his telegraphic lines applied by or incorporated in the Act of 1904 shall so far as applicable extend and apply to the maintenance working use and renewal by the Company of any works under the provisions of this section.

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(5) Any telegraphs or telephones shall not be used by the Company for the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 and shall be so constructed maintained and used as to prevent any interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

Acquisition
of generating
stations
&c. by
agreement.

3.—(1) The Company may by agreement purchase take on lease or otherwise acquire work use maintain alter and improve any generating station or sub-station and the works connected therewith or incidental thereto and any main transmission line belonging to any local authority company or person authorised to supply electricity in any area of supply which may be situate within or partly within and partly without or adjoining the limits of supply of the Company or in any area which adjoins the said limits of supply and in which the Company are for the time being giving or under contract to give a supply of electricity in bulk and any such local authority company or person may transfer any such generating station sub-station and works together with their powers rights authorities and privileges in connection therewith or incidental thereto to the Company on such terms as may be agreed Provided that the powers of this section shall not be exercised without the approval of the Electricity Commissioners except with respect to any sub-station.

(2) If the Company so acquire any such generating station sub-station or works powers rights authorities and privileges they may for the purpose of carrying on maintaining and working any such generating station sub-station and any main transmission line or works so transferred to them and of connecting the same with the said limits of supply exercise all the powers rights authorities and privileges so transferred to them and any generating station sub-station and any main transmission line or works transferred to the Company under this section or any works executed by them under any powers so transferred to them shall be deemed to form part of the undertaking of the Company and the Company may sell or otherwise dispose of or discontinue the use of any such generating station

sub-station main transmission line or works or any part thereof. A.D. 1934.

(3) Nothing in this section shall exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by the Company on any land on which such generating station or sub-station is situated and for which nuisance any such local authority company or person as aforesaid would have been liable if caused by them.

(4) If any generating station acquired by the Company under the provisions of this section is or shall become a selected station for the purposes of a scheme under the Electricity (Supply) Act 1926 then in construing section 13 of that Act such station shall be deemed to be an existing generating station only to the extent to which the Company are supplied by the Central Electricity Board for the purposes of the undertaking of which the station formed part immediately before the date of its acquisition by the Company.

4. Section 50 (Transfer of undertakings of local authorities and others to Company) of the Act of 1904 shall have effect as if—

Transfer of undertakings to Company.

(1) any reference therein to a Provisional Order under the Electric Lighting Acts 1882 and 1888 included any Provisional Order or Special Order made under the Electricity (Supply) Acts 1882 to 1933 :

(2) the words "or transferred" were inserted in subsection (1) thereof after the words "shall have been or may be granted" :

(3) the words "or may be granted" were substituted in subsection (1) thereof for the words "prior to the date of the passing of this Act been granted (whether such Order has been confirmed before or shall be confirmed after such date)."

5. The provisions of section 50 (Transfer of undertakings of local authorities and others to Company) of the Act of 1904 as amended by the last preceding section of this Act shall extend to enable the Company to lease or acquire by agreement the whole or any

Additional powers of acquiring undertakings.

A.D. 1934.

part of the electricity undertaking (whether authorised by Provisional or Special Order or Act of Parliament) of any undertakers to whom the Company are for the time being supplying or empowered to supply electricity in bulk or whose undertaking or any part thereof is for the time being managed by the Company and to enable any such undertakers with the approval of the Electricity Commissioners and by deed approved by those commissioners to lease or transfer to the Company the whole or any part of their electricity undertaking and the powers conferred upon the Company by the said section 50 with respect to any undertakings acquired by them under the provisions of that section shall be exerciseable by the Company with respect to any undertaking or part of an undertaking leased or acquired by them under the provisions of this section.

Agreements
with
adjoining
authorised
distributors.

6. The Company on the one hand and any local authority company or person authorised by Provisional or Special Order or Act of Parliament to supply electricity within any area adjoining the limits of supply of the Company on the other hand may with the approval of the Electricity Commissioners enter into and carry into effect agreements for the supply of electricity in bulk by or to the Company to or by such local authority company or person and the provisions of the respective Acts and Orders under which such authority company or person may be empowered to supply electricity shall so far as applicable have effect within the limits of supply of such authority company or person for the purposes of a supply to be afforded under this section :

Provided always that nothing in this Act contained shall authorise the Company to enter into an agreement with regard to the matters aforesaid with any local authority company or person whose area of supply is situate within the limits of supply for the time being of the Shropshire Worcestershire and Staffordshire Electric Power Company whether under Act of Parliament Provisional or Special Order.

As to
agreements
for supply
of elec-
tricity.

7. The Company on the one hand and any authority company or person to whom the Company are authorised to supply electricity on the other hand may enter into and carry into effect vary and rescind contracts or agreements for or with respect to the supply by the Company to such authority company or person of

electricity for any purpose for which the Company are authorised to supply electricity to such authority company or person and at such price and on such terms and conditions as may be agreed and the Company may supply electricity accordingly Provided that the Company shall not in making any such contract or agreement show any undue preference to any such authority company or person Provided also that this section shall not apply to contracts or agreements which may be entered into between the Company and authorised undertakers.

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8. If it is made to appear to the Electricity Commissioners by the Company that it is in the general interest so to do the commissioners may direct that the charges and allowances to be included in the price to be charged for electricity under section 12 of the Electricity (Supply) Act 1926 by the Company shall be computed—

As to section 12 of Electricity (Supply) Act 1926.

(a) as if all such electric lines used by the Company (for whatever purpose) as are specified in that behalf in the direction were transmission lines; and

(b) except in so far as may be otherwise provided by the direction as if all those lines were used for all the purposes for which any of them were used;

and unless and until the direction is revoked by the commissioners the said charges and allowances shall be computed accordingly :

Provided that the commissioners shall not give any such direction as aforesaid without giving to all authorised undertakers and railway companies affected by the direction an opportunity of making representations with respect to the matter.

9. The Company and the undertakers under any Provisional or Special Order or Act of Parliament relating to an area of supply within or partly within and partly without or contiguous to the limits of supply of the Company (including for the purposes of this section the area of supply under any Provisional or Special Order or Act of Parliament for which the Company are for the time being the undertakers and any area within which the Company are for the time being

Power to manage undertakings or generating stations &c. of other undertakers.

A.D. 1934. authorised to supply electricity by any order or consent of the Electricity Commissioners) may with the approval of the Electricity Commissioners enter into and carry into effect agreements and arrangements for and with respect to the management by the Company of the whole or part of the undertaking or any generating station sub-station or other works of such other undertakers upon and subject to such terms and conditions as may be agreed between the Company and such other undertakers.

Agreements
for exercise
of works
&c.

10. The Company on the one hand and any authorised undertakers or other person to whom the Company are entitled to give a supply of electricity on the other hand may enter into and carry into effect contracts agreements and arrangements for and with respect to the construction laying down erection alteration maintenance or repair by any such person on behalf of the Company or by the Company on behalf of any such person of electric lines or other works or apparatus connected therewith for the supply or use of electricity or the exercise by either party to any such contract agreement or arrangement of any powers of the other of them in reference to the matters aforesaid :

Provided that the execution or exercise of any such works apparatus or powers shall be subject to any statutory provisions or regulations which would have related to the execution or exercise thereof by such person or by the Company as the case may be.

Amending
Conway
and Colwyn
Bay Joint
Water
Supply
Board Act
1916.

11.—(1) As from the twenty-ninth day of June one thousand nine hundred and twenty-nine the agreement dated the twenty-seventh day of May one thousand nine hundred and sixteen made between the Conway and Colwyn Bay Joint Water Supply Board of the one part and the Aluminium Corporation Limited (in this section referred to as "the corporation") of the other part set out in the schedule to and confirmed by the Conway and Colwyn Bay Joint Water Supply Board Act 1916 (in this section referred to as "the Act of 1916") shall be read and have effect as if the Company were parties to the said agreement and had been named therein instead of the corporation wherever the name of the corporation appears in the said agreement and the said agreement as so amended shall enure for the benefit

of the Company subject to the obligations therein contained and shall be carried into effect accordingly and anything done or suffered by the Company prior to the passing of this Act under or in pursuance of the said agreement is hereby sanctioned and confirmed. A.D. 1934.
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(2) The Act of 1916 shall be read and have effect as if the Company had been named in the following sections of that Act instead of the corporation wherever the name of the corporation appears in the said sections (namely):—

Section 4 (Power to make works) in so far as it relates to works in connection with or subsidiary to the reservoir thereby authorised;

Section 13 (Completion of works by Corporation vesting same in Board &c.);

Section 14 (Corporation may bring water from other watersheds and increase height of dam);

Section 15 (Power to Board to take waters);

Section 17 (Repeal of section 5 of Act of 1908 and power to Corporation to take water from Lake Cowlyd);

Section 21 (For protection of Corporation);

Section 22 (For protection of Dolgarrog Estate).

(3) Subsection (3) of section 22 of the Act of 1916 is hereby repealed.

12. In any case in which the change over from direct to alternating current supply necessitates the substitution of a new cable or other works situate in or upon the private property of a consumer the Company after giving forty-eight hours' notice in writing to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which such cable or work is laid or fixed may enter such house building or land between the hours of nine in the morning and four in the afternoon or with the authority in writing of a justice at any other time for the purpose of effecting such substitution repairing all damage caused by such entry or substitution. Power of entry for substitution of cables &c. on change of system of supply.

.D. 1934.

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Power to
lay down
connecting
lines in
certain
cases.

13.—(1) For the purpose of supplying electricity to any premises to which the Company are for the time being authorised to supply electricity the Company may lay down place maintain and use electric lines in order to connect such premises to a service line already laid by the Company for the purpose of affording a supply of electricity to adjoining premises and for that purpose may cut or otherwise interfere with any party wall or fence to such premises and adjoining premises.

(2) In relation to any such electric lines as aforesaid the Company shall have the powers and be subject to the provisions of sections 17 18 20 and 77 of the schedule to the Electric Lighting (Clauses) Act 1899 and those provisions so far as applicable shall be incorporated with this Act and the Company shall be deemed to be the undertakers.

(3) The provisions of section 14 of the said schedule so far as they relate to the Postmaster-General shall extend and apply to the laying down or construction by the Company of any electric line under the provisions of this section.

(4) In this section the expression "electric line" shall have the same meaning as in the Electric Lighting Act 1882.

(5) The provisions of this section shall not apply to any premises (not being a dwelling-house) belonging to a railway company.

Power to
lay electric
mains in
private
streets.

14. The Company may upon the application of the owner or occupier of any premises within the limits of supply of the Company abutting on or being erected in any street laid out or made and whether dedicated to the public use or not lay down place take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing a supply of electricity to such premises and the provisions of the Electricity (Supply) Acts 1882 to 1933 and of the schedule to the Electric Lighting (Clauses) Act 1899 with respect to the breaking up of streets for the purpose of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the

purposes thereof and to any works constructed or executed by the Company under the provisions of this section : A.D. 1934.

Provided that the powers of this section shall not be exerciseable with respect to any such street without the consent of the road authority for the district in which such street is situate :

Provided also that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depot of a railway company nor shall the Company in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

15. Subject to the provisions of the Electricity (Supply) Acts 1882 to 1933 and to the provisions so far as applicable of the schedule to the Electric Lighting (Clauses) Act 1899 the Company may in or under any street repairable by the inhabitants at large or dedicated to public use and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use construct and maintain sub-stations transforming stations and other works in connection with their undertaking and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient : Power to construct electrical sub-stations under streets.

Provided that where in the opinion of the Company the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Company may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such sub-stations transforming stations and works subject to such terms and conditions as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :

Provided also that the Company shall not construct any such sub-station transforming station or work—

- (a) in or upon any bridge carrying a street over a railway or canal belonging to a railway company or under any bridge carrying such railway or

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canal over a street or within fifteen feet of any portion of any abutment or wing wall of any such bridge without the consent of the railway company concerned but such consent shall not be unreasonably withheld; or

(b) so as to interfere with or render less convenient the access to or exit from any station or depot of a railway company; or

(c) in any street without the consent of the road authority for the district in which such street is situate.

Any question whether or not any consent under paragraph (a) of this proviso has been unreasonably withheld shall be determined by the Minister of Transport.

Attachment
of brackets
to buildings.

16. The Company may with the consent of the owner of any building attach to that building such external brackets wires and apparatus as may be required for the purposes of their undertaking:

Provided that—

(1) where in the opinion of the Company any consent under this section is unreasonably refused they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid;

(2) any consent of the owner and any order of a court under this section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Company notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and

the court shall have the same power as under proviso (1); A.D. 1934.

- (3) the owner may require the Company temporarily to remove the attachments where necessary during any reconstruction or repair of the building;
- (4) no brackets wires and attachments shall be attached to any bridge or other work of any railway company without the previous consent in writing of that company;
- (5) no brackets wires and attachments shall be attached to any county or other bridge carrying a county road without the previous consent in writing of the road authority;
- (6) no brackets wires and attachments shall be attached to any part of any building forming part of an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 without the consent of the person having control thereof.

For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

17. If any question shall arise under section 23 (Stand-by supplies of electricity) of the Electricity (Supply) Act 1922 as to whether a supply of electricity is demanded or received for the purpose of a stand-by supply only or as to whether a supply of electricity or of gas steam or other form of energy is in use or ready for use for the purposes for which a stand-by supply of electricity is required the same shall in default of agreement be determined by arbitration in manner provided by section 28 of the Electric Lighting Act 1882. For determining stand-by supplies.

18.—(1) No consumer to whom electricity is supplied by the Company shall without the consent in writing of the Company use or suffer to be used (whether after transformation or conversion or not) for purposes of lighting or illumination (all of which purposes are in this section referred to as "lighting purposes") the whole or any part of any electricity supplied to him by the Company for any other purpose. Use for lighting purposes of electricity supplied for other purposes.

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(2) Any consumer who without such consent shall use or suffer to be used for lighting purposes electricity supplied to him by the Company through a meter for any other purpose shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day on which the offence is committed after conviction and shall in addition be liable to pay to the Company at such higher rate as they may be for the time being charging for the supply of electricity for lighting purposes for all or any portion of the electricity which has been supplied to him for such other purpose within one year previous to the date when the Company shall sue for any penalty as aforesaid.

(3) Any court having jurisdiction to impose such penalty may and on the application of the Company shall decide as to the portion (if any) of such electricity in respect of which the higher charge as aforesaid shall be payable to the Company.

(4) The provisions of section 18 (Power to refuse to supply electrical energy in certain cases) of the Electric Lighting Act 1909 shall apply to any person whom the Company have reasonable grounds for believing to be acting contrary to the provisions of this section.

(5) The foregoing provisions of this section shall not apply in the case of any consumer taking a supply for power in pursuance of section 35 (Limitation of powers) of the Act of 1904.

Sale of
electrical
apparatus
let on hire.

19. If any owner or occupier of premises who has hired from the Company any electric line fitting apparatus or appliance (in this section referred to as "fittings") sells or leaves the premises in which such fittings are fixed or fastened and the next owner or occupier of those premises desires to purchase instead of to hire those fittings the Company may notwithstanding anything contained in the Electricity (Supply) Acts 1882 to 1933 sell those fittings to such next owner or occupier upon such terms and conditions as may be agreed between him and the Company.

Power to
refuse to
supply

20. The Company may refuse to supply electricity to any person from whom any payment for the supply of electricity or meter rent is for the time being in arrear

(not being the subject of a bona fide dispute) whether the payment be due to the Company in respect of the premises for which a supply is demanded or in respect of other premises. A.D. 1934.
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electricity in certain cases.

21.—(1) A notice to the Company from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Company or be given by the consumer personally at the head office or any recognised local office of the Company. Form of notice to discontinue supply.

(2) Notice of the effect of this section shall be endorsed upon any demand note for charges for electricity.

22. If any person without lawful excuse (the proof whereof shall lie on him) shall wilfully interfere with any electric line or other work or apparatus used for or in connection with the supply of electricity by the Company or do or cause to be done anything which is calculated to interfere with or damage any such work or apparatus he shall for every such offence (without prejudice to any other liability or cause of action which may arise out of or by reason of such act) be liable to a penalty not exceeding five pounds. Penalty for interference with works.

23. The provisions of section 38 (Penalty for injuring meters) of the Gasworks Clauses Act 1871 incorporated with the Electric Lighting Act 1882 shall apply to any person who wilfully fraudulently or by culpable negligence injures or detaches or suffers to be injured or detached any of the sealing or locking devices attached to any sealed or locked receptacle meter or apparatus inserted by the Company in any electric line within a consumer's premises or opens or suffers to be opened any such sealed or locked receptacle meter or apparatus. Protection of seals &c. belonging to the Company.

24. If the Company commence proceedings for the summary recovery of a sum due for the supply of electricity any other payment due to the Company for the sale hire connection repair or maintenance of lamps electric lines fittings apparatus and appliances for lighting heating or motive power may be included in the same summons and may be recovered summarily as a civil debt provided the amount due in respect thereof does not exceed twenty pounds. As to charges for fittings &c.

A.D. 1934.
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Further
powers as
to entry
upon
premises.

25.—(1) The powers conferred by section 24 of the Electric Lighting Act 1882 of entering premises for the purposes mentioned in that section shall extend to enable the Company to enter any premises to which electricity is or has been supplied by them (whether for the time being occupied or not) for the purpose of ascertaining whether there is or has been any contravention of any of the Acts or Orders relating to their undertaking or of any byelaw or regulation made thereunder and to inspect any electric lines wires fuses casings switches fittings lamps lampholders or other apparatus therein and in any case in which any such contravention is found to exist in case of emergency to cut off and disconnect the supply of electricity to the premises.

(2) If any consumer is dissatisfied with the action of the Company in refusing to recommence or give to his premises a supply of electricity which has been cut off pursuant to this section the wires fittings and apparatus of that consumer shall on his application and on payment of the prescribed fee be tested by an electric inspector to ascertain whether there is any contravention of any Act Order byelaw or regulation as aforesaid.

(3) Where any premises which the Company are entitled to enter in pursuance of the said section 24 section 16 of the Electric Lighting Act 1909 or this section are unoccupied the Company may in any case of emergency without notice and in any other case after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to them and cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage and the Company shall on quitting the premises leave the same not less secure than they were on entry.

(4) Any person who shall refuse or neglect to admit any officer appointed by the Company to any premises which he is entitled to enter in pursuance of the said section 24 section 16 of the Electric Lighting Act 1909 or this section or shall hinder any such officer from entering any such premises or from exercising the powers contained in any of the said sections shall be liable to a penalty not exceeding five pounds and to

a further penalty not exceeding twenty shillings for every day on which the offence is committed by him after conviction. A.D. 1934.

(5) The provisions of this section shall not apply to or in respect of any buildings or premises (not being a dwelling-house) belonging to any railway company harbour authority navigation authority or conservancy authority or tramway light railway gas water or electricity undertakers and used for the purposes of their undertaking or to any buildings or premises in the occupation of any local authority (including a county council).

26.—(1) The Company may for the purpose of preventing fire in or injury to any building or premises supplied or proposed to be supplied with electricity by them or injury to any person make byelaws with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises or required or used for the purpose of such supply and may refuse to supply electricity or cut off and discontinue the supply of electricity to any building or premises in or in respect of which such byelaws are not complied with. Byelaws as to wires apparatus and fittings.

(2) Any dispute as to whether any wires apparatus and fittings comply with the provisions of any byelaws made in pursuance of this section shall be referred for decision to an electric inspector appointed under the Acts or Orders of the Company and that inspector shall also order by which of the parties the costs of and incidental to the proceedings before him shall be paid and the decision of the inspector shall be final and binding on all parties.

(3) The Company may by any byelaws made under this section impose on offenders against the same such reasonable penalties as they think fit not exceeding the sum of five pounds for each offence and in the case of a continuing offence a further penalty not exceeding forty shillings for each day after written notice of the offence from the Company and such penalties may be recovered in a summary manner.

(4) Byelaws made under this section shall not have any force or effect unless and until they have been confirmed by the Electricity Commissioners and published in such manner as the Electricity Commissioners may direct.

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(5) No byelaw made under this section shall apply to or in respect of any premises (not being a dwelling-house) belonging to a railway company harbour authority navigation authority or conservancy authority or any gas or water undertakers and used for the purposes of their undertaking or to or in respect of any place or any premises to which the Factory and Workshop Act 1901 applies.

As to application of public Act.

27. If by any public Act passed in the present session of Parliament general powers similar to those conferred upon the Company by the sections of this Act of which the marginal notes respectively are "Power to lay electric mains in private streets" "Attachment of brackets to buildings" "For determining stand-by supplies" "Use for lighting purposes of electricity supplied for other purposes" "Form of notice to discontinue supply" "Penalty for interference with works" "Protection of seals &c. belonging to the Company" "As to charges for fittings &c." "Further powers as to entry upon premises" and "Byelaws as to wires apparatus and fittings" shall be conferred upon authorised undertakers for the supply of electricity the provisions of the said sections shall cease to have effect as from the date on which such general powers come into operation.

Recovery of penalties &c.

28. Save as is otherwise by the Act of 1904 and the Order of 1923 and this Act expressly provided all offences against the said Act and Order and this Act and all penalties forfeitures costs and expenses imposed or recoverable under the said Act and Order and this Act may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

29. Proceedings for the recovery of any demand made under the authority of the Act of 1904 the Order of 1923 or this Act or any subsequent Act relating to the Company or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

30. The provisions of section 16 of the Electricity (Supply) Act 1919 as modified and set forth in the Fourth Schedule to the Electricity (Supply) Act 1926 and as amended by the Electricity (Supply) Act 1928 and the Electricity (Supply) Act 1933 shall extend and apply in the case of any undertaking or part of an undertaking acquired by the Company under the powers conferred on them by the sections of this Act of which the marginal notes respectively are "Transfer of undertakings to Company" and "Additional powers of acquiring undertakings" and in the case of a generating station which is closed permanently or temporarily or the working or use of which is restricted under or in consequence of any agreement or arrangement entered into by the Company in pursuance of the sections of this Act of which the marginal notes respectively are "Acquisition of generating stations &c. by agreement" "Agreements with adjoining authorised distributors" "As to agreements for supply of electricity" and "Power to manage undertakings or generating stations &c. of other undertakers" as if such acquisition closing or restriction were an acquisition or a closing of or a restriction on the working or use of a generating station under or in consequence of the said Act of 1926.

A.D. 1934.

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Compensation for deprivation of employment.

31. The Company shall not under the powers of this Act construct on under or over the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced altered extended or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown

Works below high-water mark not to be constructed without consent of Board of Trade.

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Electric Power Act, 1934.

A.D. 1934. and shall be recoverable either as a debt due to the Crown or summarily as a civil debt.

Crown rights.

32. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands without the consent in writing of those commissioners on behalf of His Majesty first had and obtained for that purpose.

As to meaning of limits of supply.

33. The expression "the limits of supply of the Company" where used in this Act means the area of supply of the Company as defined in section 8 (Area of supply) of the Act of 1904 and so long as the Company continue to exercise the powers transferred to them under the Order of 1923 the areas comprising the North Wales and South Cheshire Electricity district constituted under the scheme set out in the First Schedule to the Order of 1923.

Copy of Act to be registered.

34.—(1) The Company shall deliver to the Registrar of Companies a printed copy of this Act and he shall retain and register it. If such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur a like penalty.

(2) Every penalty under this section shall be recoverable summarily.

(3) There shall be paid to the registrar by the Company on such copy being registered the fee of five shillings.

Costs of Act.

35. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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